



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

APR 02 2014

REPLY TO THE ATTENTION OF:  
M-9J

Mr. Edward C. Burk  
NTH Consultants, Ltd.  
41780 Six Mile Road  
Northville, MI 48168

Re: Freedom of Information Act Request EPA-R5-2014-004277

Dear Mr. Burk:

This is in response to your Freedom of Information Act (FOIA) request submitted to U.S. Environmental Protection Agency (EPA) on March 6, 2014, in which you requested the successful proposal written by TechLaw for contract number EP-S5-06-06. EPA's response has identified the document responsive to your request; however we are unable to provide it to you because it is exempt from disclosure by virtue of 5 U.S.C. § 552(b)(4).

The information you requested has been previously determined by EPA to be entitled to confidential treatment under Class Determination 1-95, "Confidentiality of Certain Business Information Submitted by Contractors and Prospective Contractors," dated July 10, 1995. Class Determination 1-95, on page five, states in part that the following types of information are entitled to confidential treatment: (1) information that would disclose the submitter's proposed approach to performing contract work; (2) information that would disclose the submitter's plan to manage the contract, including plans to subcontract for performance of contract work; (3) information concerning the submitter's relevant experience and expertise, except for general information regarding the submitter's Government-sponsored contracts or grants that is public information; (4) information concerning the identities or qualifications of specific employees, consultants, subcontractors, and subcontractors employees that the submitter proposes to use in performing the contract work; and (5) information concerning the submitter's proprietary processes, devices, software, organization of reports, and analyses; (6) information concerning the submitter's financial structure; (7) information concerning the submitter's accounting methods and (8) information that would disclose a submitter's labor rates, salaries, overhead costs, general & administrative costs, or fee or profit.

An itemized list of the records which are being withheld along with the basis for withholding is enclosed with this letter.